IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

Bail Appl..No. 7448 of 2007()

CMP.5417/2007 of J.M.F.C.-I,HOSDRUG
CRIME NO.172/98 OF VELLARIKUNDU POLICE STATION

.....

: PETITIONER/ACCUSED NO.6

JOSE @ IRITTY JOSE
S/O.JOSEPH,AGE 37/98 EDAT KALAYIL HOUSE
ULIKKAL AMSOM, NUCHIAD DESOM,
KANNUR DISTRICT.

BY ADV. SRI.M.SANTHOSH KUMAR

RESPONDENTS: COMPLAINANT

C.I.OF POLICE VALLARIKUNDU IN
CRIME NO.172/98 REPRESENTED BY THE
PUBLIC PROSECUTOR,HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.7448 of 2007

Dated this the 4th day of December, 2007

ORDER

Application for regular bail. Petitioner faces indictment in a prosecution for offences punishable,inter alia, under Section 411 I.P.C. The crux of the allegation against the petitioner is that he had received a stolen property, submits the learned Public Prosecutor. The crime was registered long earlier in 1998. Final report was filed. Cognizance was taken. But the petitioner was not available. The case against him has hence been split up. The petitioner was arrested at long last on 03.11.2007. He continues in custody from that date.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that appropriate safeguards may be insisted to ensure the presence of the petitioner for trial and I am satisfied that the petitioner can be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner must report before the Investigating Officer between 5 p.m and 6 p.m on the first Sundays of all English calendar months until the case against him is finally disposed of.

(R.BASANT, JUDGE)

rtr/-